

## Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 04825 161209Z

ACTION IO-14

INFO OCT-01 ARA-10 ISO-00 CIAE-00 COME-00 EB-07 INR-07

LAB-04 NSAE-00 SIL-01 OIC-02 IOE-00 AF-10 EA-07

EUR-12 NEA-10 DODE-00 PM-04 H-01 L-03 NSC-05

PA-01 PRS-01 SP-02 SS-15 TRSE-00 DHA-02 NSCE-00

SSO-00 USIE-00 INRE-00 /119 W

-----161251Z 091118 /45

O R 161140Z JUN 77

FM USMISSION GENEVA

TO SECSTATE WASHDC NIACT IMMEDIATE 8290

INFO AMEMBASSY SANTIAGO

LIMITED OFFICIAL USE GENEVA 4825

E.O. 11652: NA

TAGS: PLAB, ILO

SUBJ: OLO CONFERENCE CREDENTIALS OF CHILEAN WORKERS

REF: A. STATE 138402; B. GENEVA 4787

SUMMARY: THE CREDENTIALS COMMITTEE WILL BE SUBMITTING TO THE CONFERENCE PLENARY TOMORROW (JUNE 17) A REPORT REQUESTING THE CONFERENCE TO DECIDE WHETHER OBJECTION TO THE WORKERS' DELEGATION OF CHILE SUBMITTED BY THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU) AND THE WORLD FEDERATION OF TRADE UNIONS (WFTU) ARE RECEIVABLE. SUBSTANCE OF THE OBJECTIONS WILL NOT BE DISCUSSED, BUT SOLELY THE QUESTION OF RECEIVABILITY. THE GOVT. AND EMPLOYER MEMBERS OF THE COMMITTEE TAKE THE POSITION THAT THE OBJECTIONS ARE NOT RECEIVABLE, WHILE THE WORKER MEMBER IS OF THE OPINION THAT THE OBJECTIONS ARE RECEIVABLE. THE CONFERENCE WILL VOTE ON THE ISSUE WITHOUT DEBATE.

1. OBJECTION TO THE NOMINATION OF THE WORKERS' DELEGATION OF CHILE HAVE BEEN SUBMITTED TO THE CONFERENCE BY  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 04825 161209Z

THE ICFTU AND THE WFTU. THESE OBJECTIONS ARE BASED ESSENTIALLY ON THE ARGUMENT THAT THE ABSENCE OF FREEDOM OF ASSOCIATION IN CHILE MAKES IT IMPOSSIBLE FOR REPRESENTATIVE ORGANIZATIONS OF WORKERS TO EXIST IN THAT COUNTRY AND THAT THE WORKERS' DELEGATION OF CHILE COULD THEREFORE NOT HAVE BEEN NOMINATED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 3, PAR. 5 OF THE CONSTITUTION.

THESE OBJECTIONS ARE SUBSTANTIALLY IDENTICAL WITH THOSE CONTAINED IN OBJECTIONS WHICH WERE SUBMITTED TO THE 1976 CONFERENCE. (THE ENTIRE RECORD OF CONFERENCE CONSIDERATION OF THIS QUESTION IN 1976 CAN BE FOUND IN THE RECORDS OF THE CONFERENCE PORCEEDING AVAILABLE IN IO). THE PROPOSAL TO INVALIDATE THE CREDENTIALS OF THE CHILEAN WORKERS' DELEGATE FAILED AT THE 1976 CONFERENCE DUE TO LACK OF QUORUM, WITH U.S. GOVT, AND EMPLOYER ABSTAINING, AND THE WORKERS' DELEGATE VOTING IN FAVOR.

2. IN THE PRESENT CASE, BOTH GOVT. AND EMPLOYER MEMBER OF THE CREDENTIALS COMMITTEE ARE OF THE OPINION THAT SINCE THE OBJECTIONS ARE SIMILAR TO THOSE SUBMITTED AT LAST YEAR'S CONFERENCE, THEY ARE NOT RECEIVABLE IN VIEW OF THE FACT THAT THE 1976 CONFERENCE DID NOT INVALIDATE THE CREDENTIALS OF THE CHILEAN WORKERS' DELEGATION. THIS VIEW IS SUPPORTED BY THE ILO'S LEGAL ADVISER.

3. THE WORKER MEMBER AUGURS THAT THE 1976 CONFERENCE DID NOT TAKE A DECISION ON THE QUESTION OF INVALIDATION, SINCE A DECISION CAN ONLY BE TAKEN BY A VALID VOTE, AND THE STANDING ORDERS PROVIDE (ARTICLE 20, APR. 1(1)) THAT A VOTE IN NOT VALID IN THE ABSENCE OF A QUORUM. HE THEREFORE TAKES THE POSITION THAT THE OBJECTIONS ARE RECEIVABLE.

4. SINCE THERE IS A DIVIDED REPORT, IT MUST COME TO THE CONFERENCE FOR DECISION. THERE WILL BE NO DEBATE ON THE QUESTION. THE ISSUE WILL BE PRESENTED, AND THE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 04825 161209Z

CONFERENCE WILL PROCEED TO THE VOTE. WE HAVE NO CLEAR INDICATION OF WHAT THE VOTING PATTERN WILL BE, SINCE THE REPORT WILL BE DISTRIBUTED LATER THIS MORNING, AND MOST DELEGATIONS ARE NOT AWARE THAT IT IS TO COME TO THE CONFERENCE TOMORROW. HOWEVER, WE WOULD JUDGE THAT THE VOTE AT LAST YEAR'S CONFERENCE PROVIDES SOME INDICATION OF WHAT MAY BE EXPECTED AT THIS CONFERENCE. NO DOUBT SOME DELEGATIONS WILL ABSTAIN ON THE GROUNDS THAT THERE HAS NOT BEEN ENOUGH TIME TO CONSULT THEIR GOVERNMENTS ON THE MATTER.

5. IT SHOULD BE NOTED THAT THE ISSUE TO BE DECIDED TOMORROW IS THE RECEIVABILITY OF THE OBJECTIONS. IF THE CONFERENCE DECIDES THAT THE OBJECTIONS ARE NOT RECEIVABLE, THE CHANCES ARE THAT THE ISSUE WILL BE DEAD FOR THIS CONFERENCE. IF THE CONFERENCE DECIDES THAT THE OBJECT-IONS ARE RECEIVABLE, THE QUESTION OF THE SUBSTANCE OF THE OBJECTIONS THEN MUST BE CONSIDERED. IF THE COMMITTEE IS DIVIDED ON THIS ISSUE AS WELL, A DIVIDED COMMITTEE

REPORT WILL COME TO THE CONFERENCE FOR DECISION. THIS  
WOULD NOT HAPPEN BEFORE TUESDAY OR WEDNESDAY OF NEXT  
WEEK - JUNE 21 OR 22.

6. U.S. WORKER DELEGATE IRVING BROWN IS WHOLEHEARTEDLY  
IN FAVOR OF DECLARING THE OBJECTIONS RECEIVABLE, AND  
STRONGLY RECOMMENDS THAT THE U.S. GOVT. DELEGATES VOTE  
IN FAVOR OF THIS PROPOSAL. HE ARGUES THAT THIS WOULD  
BE A CLEAR DEMONSTRATION OF WHERE THE U.S. GOVT. STANDS  
ON THE QUESTION OF HUMAN RIGHTS IN THE ILO, AND WOULD  
GIVE CREDENCE TO THE HUMAN RIGHTS STAND OF PRESIDENT  
CARTER, WHOM HE QUOTED ON THIS QUESTION DURING HIS SPEECH  
TO THE CONFERENCE YESTERDAY.

7. AFTER CAREFULLY REVIEWING THIS ENTIRE MATTER, BOTH  
HOROWITZ AND GOOD RECOMMEND THAT WE VOTE IN FAVOR OF  
DECLARING THE OBJECTIONS RECEIVABLE. THIS COULD HAVE  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 GENEVA 04825 161209Z

A SALUTORY EFFECT ON THE PERCEPTIONS OF OTHER DELEGATIONS  
REGARDING THE U.S. POSITION ON HUMAN RIGHTS ISSUES. WE  
WOULD NOTE, HOWEVER, THAT THIS WILL COMPLICATE THE  
POSITION OF THE HEAD OF THE CHILEAN DELEGATION, WHO IS  
THE SPOKESMAN FOR THE LATIN AMERICAN DELEGATION. NEVER-  
THELESS, THE POSITION OF THE U.S. GOVT. ON THIS QUESTION  
WILL BE CAREFULLY NOTED BY LATIN AMERICAN DELEGATIONS -  
WORKER AS WELL AS GOVERNMENT REPRESENTATIVES.

8. THIS MATTER MAY COME BEFORE THE CONFERENCE AS  
EARLY AS 10:00 A.M. (GENEVA TIME) JUNE 17. INSTRUCTIONS  
REQUESTED.  
SORENSEN

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** HUMAN RIGHTS, MEETING DELEGATIONS, INTERNATIONAL LABOR ORGANIZATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 16-Jun-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977GENEVA04825  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770215-0267  
**Format:** TEL  
**From:** GENEVA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770651/aaaabsqs.tel  
**Line Count:** 152  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** f809077c-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION IO  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 STATE 138402, 77 GENEVA 4787  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 09-Mar-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2133070  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** OLO CONFERENCE CREDENTIALS OF CHILEAN WORKERS  
**TAGS:** ELAB, ILO  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/f809077c-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009